

**LOUISVILLE/JEFFERSON COUNTY
METRO ETHICS COMMISSION MINUTES
AUGUST 19, 2010**

MEMBERS PRESENT

Ms. Thelma Clemons
Mr. Terry Conway
Ms. Karyl Ferman
Mr. Jonathan Ricketts
Ms. Vicki Tabler

OTHERS PRESENT

Ms. Janet Black, Admin. Support, HR
Council Member Kevin Kramer
Chris Lewis, Minority Director, Metro Council

The Louisville/Jefferson County Metro Ethics Commission met on Thursday, August 19, 2010 at Memorial Auditorium. The meeting was called to order at 3:31 p.m.

Mr. Jonathan Ricketts was designated as the person to lead the meeting. The minutes of June 17, 2010 were reviewed. A motion was made by Ms. Karyl Ferman and seconded by Ms. Thelma Clemons to approve the minutes as written.

NEW BUSINESS

Mr. Ricketts officially welcomed new members Mr. Terry Conway and Ms. Vicki Tabler.

Mr. Ricketts opened the floor for nominations. Mr. Terry Conway nominated Mr. Ricketts to Chair for Fiscal Year 2010-2011. Ms. Karyl Ferman seconded the nomination. The vote was unanimous to accept Mr. Ricketts as the Chair. Mr. Ricketts accepted and requested a nomination for Vice Chair. Mr. Jonathan nominated Ms. Karyl Ferman for Vice Chair. Ms. Thelma Clemons seconded the nomination and the vote was unanimous.

OLD BUSINESS

10C-004 –The Commission discussed whether or not Councilman Glen Stuckel would profit from voting on Ordinance O-33-02-10 in relations to the use of portable storage units and dumpsters. Ms. Clemons and Ms. Ferman both reported that they did not see a problem with the voting on the ordinance. Mr. Ricketts stated that he tried to apply the ordinance to the request and since Councilman Stuckel was not in the business of renting or selling these items, although he may have to contract them at a later date, he did not see him profiting from the vote. Mr. Ricketts asked the Commission would it be in conflict with the ethics code for CM Stuckel to vote or discuss on the ordinance. The Commission voted that it would not be a violation. Mr. Ricketts informed the Commission that he would write an opinion to CM Stuckel informing him of the decision.

10-D-002–Mr. Ricketts asked the Commission if anyone was prepared to discuss the opinion at this meeting that was just received for an opinion. Ms. Ferman stated that she would feel better if she could have time to review the ordinance before rendering an opinion. Ms. Clemons concurred. Ms. Ferman made a motion to table the opinion until the Commission had time to decide the next step. Mr. Conway seconded and the motion was moved. Ms.

Ferman suggested that the Commission should review the conduct code before the next meeting. Mr. Ricketts agreed.

Financial Disclosure Statements/Annual Report-Ms. Janet Black informed the Commission that Human Resources and the Information Technology Division of Metro Government had developed a data base to record Financial Disclosure Statements as they are received from boards, commission members and Metro Officers to stay in compliance. All Metro Officers are required by the ordinance to attend ethics training and this data base will notify Human Resources of non-compliance from year to year. Ms. Black informed the Commission that a question was asked by a Metro Officer if the annual report and opinions could be logged on the website for the public to review. Mr. Ricketts stated that with the general management of the Commission an obligation under the ordinance to submit an annual report on decisions that are made. The member(s) that is elected to take on the project could summarize the minutes with how many opinions were submitted, along with the dates of meetings and training completed. Once it is reviewed by the full Commission and voted upon and then it will be submitted to the Council.

Councilman Kevin Kramer-Ethics Tip Line Update Mr. Ricketts introduced Councilman Kevin Kramer. CM Kramer stated that Ethics Tip Line would be coming upon a year of being implemented and that the Council would like to have the time to review the impact to see if it is functional as is. CM Kramer informed the Commission that the Metro Council would look at the ordinance governing the tip line and review if there are policy decisions that should be made. CM Kramer stated that the Council will pass a resolution to make changes if necessary. Councilman Kramer informed the Commission that it was never the intent of the Metro Council to involve the Ethics Commission with investigation of the complaints received through the tip line. The Ethics Commission was included only as one of the many divisions that would receive a report of the complaints for reviews. CM Kramer informed the Commission that the Council will be reviewing the tip line in October. Mr. Ricketts informed CM Kramer that the Ethics Commission will work through the problems that the tip line may be involved concerning the Commission. Mr. Ricketts stated that the Commission may review its' role at the next meeting.

CM Kramer also inquired if it was possible for the Ethics Commission to provide quick answers per phone calls from Metro Council members requesting advice or guidance with invitations to events at the last minutes. Mr. Ricketts stated that he understood the request but that the "off the cuff" advice given is manipulated. Mr. Ricketts replied that it is doable but there has to be some understanding that the opinion given is not a safe harbor to base a decision on.

Mr. Ricketts reported about the hiring of an attorney that could possibly work with the Commission on a part time basis. The Commission was told that once they all agree on the qualifications the desired attorney, Human Resources will follow through with the process to hire someone. Mr. Conway asked about the impact hiring the attorney for the Commission would have with the Commission. Mr. Ricketts stated that having counsel would be like an extra resource to use. It was decided that there should be a discussion to decide the scope of the attorney.

Mr. Ricketts presented to the Commission a vote to change the bi-monthly meetings to monthly meetings. Ms. Clemons made a motion to meet on a monthly schedule. The motion was seconded by Mr. Conway and so moved.

Mr. Conway made a motion to adjourn the meeting, Ms. Ferman second and the meeting was adjourned at 5:01 pm.